Byron J. Russell 1728 Liberty Street El Cerrito, CA 94530-1913

January 19, 2000 8 4 2 3 00 FEB -9 P1 :33

Dr. Jane E. Henney, Commissioner Food and Drug Administration 5600 Fishers Lane, rm. 14-71 Rockville, MD 20857

Docket No. 97N-484S

Dear Dr. Henney:

I am writing object to the proposed ruling (Docket No. 97N-484S). Having had a child via artificial insemination, I find it unbelievable that the FDA would choose to ban the process which made my daughter possible -- due to an unexamined prejudice against Gay/Bisexual men. I am aware that many people find the idea of procreation among minorities (such as the gay community) objectionable, but this is a discriminatory cultural thought process -- NOT a scientific one.

Our scientific community does not have an untarnished history with the ethical treatment of minorities, as you should be aware. This is another example of civil rights discrimination in the name of science. The screening process for HIV with frozen sperm, and retesting after 6 months, has shown no danger for the spread of HIV by gay/bisexual men. The one case of non-sero-conversion after 6 months was in a heterosexual, married man. Is an elimination of artificial insemination using the sperm of heterosexual men being considered? I am tempted to think that a group of straight (probably white) scientists find that there is a negligible risk of HIV transmission via artificial insemination in the gay community; they find this a distasteful prospect which holds no advantage for THEM. Thus, they propose a ban. The women who have chosen to use me as a sperm donor specifically sought a gay donor. The freedom to choose one's partners in parenting, and to have full access to the medical techniques commonly available are essential rights in our society.

My daughter is a healthy 4 month old child with excellent parents. It took 3 years of work, at great expense and sacrifice, to produce this child. Her mother and I put much more work and thought into producing a a healthy child than the vast majority of (heterosexual) parents in this country. I ask you to consider that though this ruling may present no immediate cost to you, it would have a chilling effect on many members of my community.

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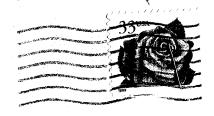
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